

THE UNIVERSITY OF TEXAS
SOUTHWESTERN MEDICAL CENTER
AT DALLAS

Kern Wildenthal, M.D., Ph.D.
President

February 12, 2003


Select Agent Program
Centers for Disease Control and Prevention
1600 Clifton Road, N.E.
Mail Stop E-79
Atlanta, GA 30333

RE: Centers for Disease Control and Prevention's solicitation for comments on 42 CFR Part 73, Interim Final Rule, Possession, Use, and Transfer of Select Agents and Toxins published in the Federal Register, Vol. 240, No. 67 on Friday, December 13, 2002.

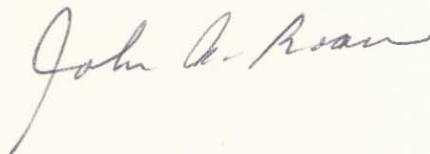
The Biological and Chemical Safety Advisory Committee (BCSAC) at The University of Texas Southwestern Medical Center (UTSWMC) at Dallas has discussed the comments and recommendations for 42 CFR Part 73, submitted by the Howard Hughes Medical Institute (HHMI) on January 21, 2003. As a result of the BCSAC meeting held on January 23, 2003, Esequiel Barrera, Biological and Chemical Safety Officer, and Julian Peterson, Ph.D., BCSAC Chairman, have submitted a letter on behalf of the UTSWMC BCSAC supporting the HHMI comments. In addition, the President and the Executive Vice President for Business Affairs at UTSWMC also endorse the attached copy of the HHMI "Comments on 42 CFR Part 73". Specifically, the basis for our support and endorsement is that the recommendations will ensure the appropriate availability of biological agents and toxins for research, education, and other legitimate purposes and will make the safeguard and security requirements for persons possessing, using, or transferring a listed agent or toxin risk-based. These provisions are requirements of the "Public Health Security and Bioterrorism Preparedness and Response Act of 2002." Generally, the adoption of the recommendations of the HHMI will lessen the administrative burden of the Final Rule, allow for an effective performance-based security plan, and ensure the relevance of the Final Rule to the biomedical research environment.

We appreciate the opportunity to comment on the Interim Final Rule.

Sincerely,



Kern Wildenthal, M.D., Ph.D.
President



John A. Roan
Executive Vice President for Business Affairs

Enclosure: Comments on 42 CFR Part 73, Interim Final Rule
Possession, Use and Transfer of Select Agents and Toxins